

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM G. HALLOWELL,

Defendant.

8:13CR17

ORDER

This matter is before the court on the Petition for Action on Conditions of Pretrial Release (Petition) regarding defendant William G. Hallowell (Hallowell) (Filing No. 31). On July 19, 2013, Hallowell was ordered released upon conditions pending further proceedings (Filing No. 27). Hallowell was to reside at Walthill, Nebraska, and abide by other conditions of release. On August 22, 2013, Pretrial Services Officer Todd Beacom submitted a Petition alleging Hallowell had violated the conditions of his release by consuming alcohol and failing to abide by rules of the Winnebago Drug Dependency Unit resulting in his discharge from that facility. A warrant for Hallowell's arrest was issued.

Hallowell appeared before the court on September 20, 2013. Hallowell was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Assistant U.S. Attorney Douglas M. Semisch. After being advised of the nature of the allegations, his rights, and the consequences if the allegations were found to be true, Hallowell, through counsel, admitted the allegations. The court finds the allegations of the petition are generally true and Hallowell has violated the conditions of his release.

The government moved for detention. A hearing was scheduled for September 24, 2013. On that date, Hallowell appeared with his counsel Assistant Federal Public Defender Michael F. Maloney and the United States was represented by Assistant U.S. Attorney Susan T. Lehr. The court took judicial notice of the Pretrial Services Violation Report (Filing No. 37). After providing both parties an opportunity for allocution as to disposition and considering the report of Pretrial Services, I find the Order Setting Conditions of Release should be revoked. Hallowell has demonstrated he is unable to comply with rules of his release.

IT IS ORDERED:

1. The Petition For Action on Conditions of Pretrial Release (Filing No. 31) is granted.
2. The July 19, 2013, Order Setting Conditions of Release of William G. Hallowell (Filing No. 27) is hereby revoked.

3. The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 24th day of September, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge